

REMARKS

Claims 1-31, 33 and 36-58 were previously pending in this application. Claim 48 has been amended to correct a typographical error. As a result claims 1-31, 33 and 36-58 remain pending for examination with claims 1, 19, 20, 21, 27, 30 and 48 being independent claims. No new matter has been added.

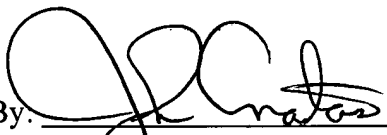
In addition, applicant submits a copy of an Information Disclosure Statement (IDS) previously filed on March 9, 2004, for which there has been no acknowledgement of consideration from the Examiner. Applicant checked Private Pair and could not find entry of the IDS in the record. Accordingly, applicant resubmits the IDS for consideration.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted,
Robert B. Chaffee, Applicant

By. 
John N. Anastasi, Reg. No. 37,765
Jeffrey B. Powers, Reg. No. 45,021
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One Main Street
Cambridge, Massachusetts 02142
United States of America
Telephone: 617-395-7000
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Docket No.: C0852/7014 JNA

Date: September 1, 2004



BEST AVAILABLE COPY

DOCKET NO.: C0852/7014

Applicant: Robert B. Chaffee
Serial No.: 09/859,706
Confirmation No.: 4125
Filed: May 17, 2001
For: Inflatable Device with Recessed Fluid Controller and
Modified Adjustment Device
Examiner: Lisa M. Saldano
Art Unit: 3673

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 9th day of March, 2004.


Denise M. Donahue

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

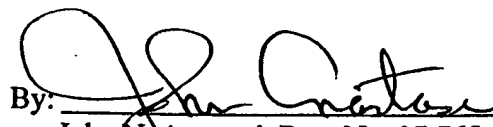
- ☒ Information Disclosure Statement, Form PTO-1449 and cited references
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check in the amount of \$180.00 is enclosed. If the fee is insufficient, the Commissioner is hereby authorized to charge Deposit Account No. 50/2762. A duplicate of this sheet is enclosed.

Respectfully submitted,

Robert B. Chaffee, Applicant

By: 
John N. Anastasi, Reg. No. 37,765
LOWRIE, LANDO & ANASTASI, LLP
Riverfront Office Park
One Main Street
Cambridge, Massachusetts 02142
Tel.: (617) 395-7000

Docket No.: C0852/7014
Date: March 9, 2004

DOCKET NO: C0852/7014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Denise M. Donahue

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application. The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

Serial No.: 09/859,706

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Art Unit: 3673

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

Serial No.: 09/859,706

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Art Unit: 3673

An early and favorable action is hereby requested.

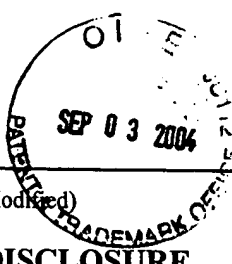
Respectfully submitted,

Robert B. Chaffee, Applicant

By: 

John N. Anastasi, Reg. No. 37,765
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Riverfront Office Park
One Main Street
Cambridge, Massachusetts 02142
Tel.: (617) 395-7000

Docket No. C0852/7014
Date: March 9, 2004



FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 09/859,706		ATTY. DOCKET NO.: C0852-7014	
				FILING DATE: 05-17-2001		CONFIRMATION NO.: 4125	
				APPLICANT: Robert B. Chaffee			
				GROUP ART UNIT: 3673		EXAMINER: Lisa M. Saldano	
Sheet	1	of	1				

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		4,890,344		Walker	01-02-1990
		5,144,708		Pekar	09-08-1992
		5,406,661		Pekar	04-18-1995
		6,099,248		Mumm et al.	08-08-2000
		6,206,654		Cassidy	03-27-2001
		6,483,264		Shafer et al.	11-19-2002

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



BEST AVAILABLE COPY

Serial No. 09/859706 File No. C0852/7014 By: JWA
Title: Inflatable Device w/ Recessed Fluid...
Application of: Robert B. Chaffee Date: und

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| <p><input type="checkbox"/> Mailing by Express Mail (37 CFR 1.10)
Express Mail Label No. _____</p> <p><input type="checkbox"/> Patent Application</p> <p><input type="checkbox"/> Non-provisional <input type="checkbox"/> Provisional
Incl. _____ pages, (_____ pgs) Specification,
(_____ pgs) Abstract, (_____ pgs) Claims (_____ # claims)</p> <p><input type="checkbox"/> Design Patent Application
Declaration(s) _____</p> <p><input type="checkbox"/> Drawings _____ Sheet(s) (FIGS. _____ - _____)
<input type="checkbox"/> Formal <input type="checkbox"/> Informal</p> <p><input type="checkbox"/> Utility Patent Application Transmittal
Fee calculation sheet (x2)
CPA Transmittal
Verified Statement claiming small entity status
Assignment and Cover Sheet</p> <p><input type="checkbox"/> Other _____</p> | <p><input checked="" type="checkbox"/> Provisional Application Cover Sheet
Multiple Dependent Claim Fee Sheet
Inf. Discl. Statement, PTO Form 1449</p> <p><input checked="" type="checkbox"/> References Cited</p> <p><input type="checkbox"/> Priority Document(s) # _____</p> <p><input type="checkbox"/> Copy of Notice to File Missing Parts</p> <p><input type="checkbox"/> Amendment/Response</p> <p><input type="checkbox"/> Petition for Ext. of Time (x2)</p> <p><input type="checkbox"/> Issue Fee Transmittal</p> <p><input type="checkbox"/> Letter to Official Draftsperson</p> <p><input type="checkbox"/> Notice of Appeal</p> <p><input type="checkbox"/> Brief (x3)</p> <p><input checked="" type="checkbox"/> Check for \$ <u>180.00</u> Check # <u>1324</u></p> <p><input checked="" type="checkbox"/> Transmittal Letter (x2)</p> <p><input checked="" type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(a)</p> |
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March 9, 2004

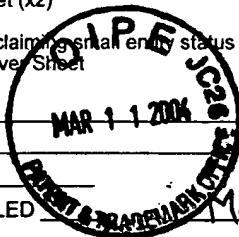
Serial No. 09/859706 File No. C0852/7014 By: JWA
Title: Inflatable Device w/ Recessed Fluid...
Application of: Robert B. Chaffee Date: und

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Incl. _____ pages, (_____ pgs) Specification,
(_____ pgs) Abstract, (_____ pgs) Claims (_____ # claims)</p> <p><input type="checkbox"/> Design Patent Application
Declaration(s) _____</p> <p><input type="checkbox"/> Drawings _____ Sheet(s) (FIGS. _____ - _____)
<input type="checkbox"/> Formal <input type="checkbox"/> Informal</p> <p><input type="checkbox"/> Utility Patent Application Transmittal
Fee calculation sheet (x2)
CPA Transmittal
Verified Statement claiming small entity status
Assignment and Cover Sheet</p> <p><input type="checkbox"/> Other _____</p> | <p><input checked="" type="checkbox"/> Provisional Application Cover Sheet
Multiple Dependent Claim Fee Sheet
Inf. Discl. Statement, PTO Form 1449</p> <p><input checked="" type="checkbox"/> References Cited</p> <p><input type="checkbox"/> Priority Document(s) # _____</p> <p><input type="checkbox"/> Copy of Notice to File Missing Parts</p> <p><input type="checkbox"/> Amendment/Response</p> <p><input type="checkbox"/> Petition for Ext. of Time (x2)</p> <p><input type="checkbox"/> Issue Fee Transmittal</p> <p><input type="checkbox"/> Letter to Official Draftsperson</p> <p><input type="checkbox"/> Notice of Appeal</p> <p><input type="checkbox"/> Brief (x3)</p> <p><input checked="" type="checkbox"/> Check for \$ <u>180.00</u> Check # <u>1324</u></p> <p><input checked="" type="checkbox"/> Transmittal Letter (x2)</p> <p><input checked="" type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(a)</p> |
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DATE MAILED

March 9, 2004



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CAMBRIDGE, MA 02142

1324

5-13/110

DATE 3/9/04

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